



15 AUG 2008

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Whitham, Curtis & Christofferson & Cook, P.C.
11491 Sunset Hills Road
Suite 340
Reston, VA 20190

In re Application of
FALAKI, et al.
U.S. Application No.: 10/597,647
PCT No.: PCT/JP05/01988
Int. Filing Date: 03 February 2005
Priority Date: 04 February 2004
Attorney Docket No.: 00990096AA
For: SYSTEM AND METHOD FOR NETWORK
HANDOVER

DECISION ON RENEWED
PETITION UNDER
37 CFR 1.47(a)

This decision is in response to the applicant's "Renewed Petition Under 37 C.F.R. 1.47 (a)" filed 08 August 2008 in the United States Patent and Trademark Office (UPSTO) to accept the application without the signature of co-inventor Veluppillai Manimohan.

BACKGROUND

On 19 June 2008, applicant was mailed a decision dismissing applicant's petition under 37 CFR 1.47(a). Applicant was afforded two months to file any request for reconsideration and advised that this time period could be extended pursuant to 37 CFR 1.136(a).

On 08 August 2008, applicant filed the present renewed petition.

DISCUSSION

As detailed in the decision mailed 19 June 2008, a petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(g), (2) factual proof that the missing joint investor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor. Applicant previously satisfied items (1), (3) and (4) above.

With the filing of the present renewed petition and supporting documentation, applicant has satisfied all of the concerns raised in the decision of 19 June 2008 and it is proper to grant applicant's renewed petition at this time. Specifically, applicant has shown that in addition to the previous correspondence mailed 27 April 2007 notifying Mr. Manimohan of the need to sign a declaration; Mr. Manimohan was presented with a complete set of the application papers and a new declaration for execution on 24 July 2008. As such, it is proper to grant applicant's renewed petition at this time.

CONCLUSION

For the reasons discussed above, applicant's renewed petition under 37 CFR 1.47(a) is **GRANTED**.

The application has an international filing date of 03 February 2005 under 35 U.S.C. 363, and will be given a date of **19 July 2007** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

As provided in 37 CFR 1.47(c), a notice of the filing of this application will be forwarded to the non-signing inventors at their last known addresses of record. A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the DO/EO/US for processing in accordance with this decision.



Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294
Fax: (571) 273-0459



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Mr. Veluppillai Manimohan
57 Elizabeth Gardens
Isleworth
Middlesex
TW7 7BD
UNITED KINGDOM

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Dear Mr. Manimohan:

You are named as an inventor in the above identified United States patent application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor. As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternately, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. If you care to join in the application, the law firm of record (see below) would presumably assist you. Joining in the application would entail the filing of the appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294
Fax: (571) 273-0459

Michael E. Whitman
Whitham, Curtis & Christofferson & Cook, P.C.
11491 Sunset Hills Road
Suite 340
Reston, VA 20190
United States of America